

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ALABAMA  
SOUTHERN DIVISION

HAMAN, INC. d/b/a KNIGHTS INN,	)	
	)	
Plaintiff,	)	
	)	
	)	Civil Action File No.
	)	<u>2:18-cv-1534-KOB</u>
	)	
v.	)	
	)	
CHUBB CUSTOM INSURANCE	)	
COMPANY,	)	
Defendant.	)	

**CONSENT MOTION FOR CONTINUANCE FROM THE COURT’S  
FEBRUARY 9, 2021 MOTIONS HEARING AND TO APPEAR VIA  
REMOTE MEANS**

Defendant Chubb Custom Insurance Company (“Chubb”), with the consent of plaintiff Haman, Inc. d/b/a Knights Inn (“plaintiff”), moves the Court for a continuance from the Court’s motions hearing scheduled on February 9, 2021, and further respectfully requests that counsel for the parties be allowed to appear at any motions hearing by remote means, respectfully showing the Court as follows:

On January 21, 2021, the Court entered an order [Doc. 144] scheduling an in-person hearing to consider several motions, including the parties’ motions to exclude expert testimony [Docs. 91, 92, 93, 94, 95, 98, 100] and plaintiffs’ motions to strike evidentiary material [Docs. 113, 114, 128] for Tuesday, February 9, 2021, beginning at 10:00 AM, in Courtroom 5A of the Hugo L Black U.S. Courthouse in

Birmingham, Alabama. David Lee, co-counsel for Chubb, must participate in a previously scheduled hearing in another matter in Baton Rouge, Louisiana on that same date and, therefore, is unavailable.

Because David Lee is expected to be involved in arguing some of the motions before this Court, Chubb respectfully requests that the hearing on the parties' motions to exclude expert testimony [Docs. 91, 92, 93, 94, 95, 98, 100] and plaintiffs' motions to strike evidentiary material [Docs. 113, 114, 128] be continued from the February 9, 2021 hearing date. This continuance is sought in good faith.

Furthermore, Chubb respectfully requests that Court permit those who are uncomfortable appearing in person due to the risks presented by the spread of COVID-19 be allowed to participate in the hearing to consider the parties' motions to exclude expert testimony [Docs. 91, 92, 93, 94, 95, 98, 100] and plaintiffs' motions to strike evidentiary material [Docs. 113, 114, 128] by remote means, regardless of whether a continuance is granted.

A proposed order granting this consent motion is attached as Exhibit "1."

WHEREFORE, and defendant Chubb Custom Insurance Company, with the consent of plaintiff Haman, Inc. d/b/a Knights Inn, respectfully requests that the Court grant the requested continuance and allow the parties' counsel to appear at the hearing to consider the parties' motions to exclude expert testimony [Docs. 91, 92, 93, 94, 95, 98, 100] and plaintiffs' motions to strike evidentiary material [Docs. 113,

114, 128] via remote means, whether occurring on February 9, 2021 or another date in the future.

Respectfully submitted this 4th day of February, 2021.

/s/ Wayne D. Taylor

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CONSENTED TO:

/s/ Gary V. Conchin

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*(Electronically signed by Michelle A.  
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**CERTIFICATE OF SERVICE**

I hereby certify that on the 4th day of February, 2021 I electronically filed the foregoing **CONSENT MOTION FOR CONTINUANCE FROM THE COURT'S FEBRUARY 9, 2021 MOTIONS CALENDAR AND TO APPEAR VIA REMOTE MEANS** with the Clerk of Court using the CM/ECF system, which will send notification of such filing to the following: Gary V. Conchin, Kenneth B. Cole, Jr., Gregory A. Brockwell, and Jason R. Smith, and I certify that I have e-mailed and mailed by United States Postal Service the document to the following non-CM/ECF participants:

N/A

/s/ Wayne D. Taylor

WAYNE D. TAYLOR

Georgia Bar No. 701275

*Admitted pro hac vice*